

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION

In Re:

TARISA HIEN EDWARDS

**CASE NO. 11-05862-8-JRL
CHAPTER 13**

Social Security No.xxx-xx-2809

Address:3300 Dangerfield Drive, Raleigh, NC 27616

Debtor

NOTICE OF OBJECTION TO CLAIM

The Debtor has filed an objection to your claim in this bankruptcy case.

Your claim may be reduced, modified, or eliminated. You should read these papers carefully and discuss them with your attorney, if you have one.

If you do not want the court to eliminate or change your claim, then on or before November 24, 2011, you or your attorney must file with the Court, pursuant to Local Rule 9014-1, a written response, an answer explaining your position, and a request for hearing at: Clerk, U.S. Bankruptcy Court, Post Office Box 1441, Raleigh, N.C. 27602-1441.

If you mail your response to the court for filing, you must mail it early enough so that court will **receive** it on or before the date stated above. **You must also mail a copy to the following:**

John T. Orcutt Attorney 6616-203 Six Forks Rd. Raleigh, N.C. 27615	John F. Logan CHAPTER 13 TRUSTEE P.O. Box 61039 Raleigh, N.C. 27661-1039
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If a response and a request for hearing is filed in writing on or before the date set above, a hearing will be conducted on the objection to claim at a date, time and place to be later set and all parties will be notified accordingly. If you or your attorney do not take these steps, the court may decide that you do not oppose the objection to your claim.

Dated: October 17, 2011

LAW OFFICES OF JOHN T. ORCUTT, P.C.

s/ John T. Orcutt

John T. Orcutt
Attorney for Debtor
6616-203 Six Forks Rd.
Raleigh, N.C. 27615
(919) 847-9750

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Debtor

OBJECTION TO CLAIM

NOW COMES the Debtor above-named, through counsel, who respectfully objects to the proof of claim filed by the creditor OCWEN LOAN SERVICING, LLC and dated August 27, 2011, for the following reasons:

The Debtor believes the ongoing mortgage claim in the amount of \$1,290.14 is overstated. Upon information and belief, the principal and interest payment per month is \$843.08. Upon information and belief, the escrow account should be funded \$243.85 resulting in a mortgage payment of \$1,086.93 because the annual insurance expense is \$1,239 and real property tax annually is \$1,687.17.

Upon information and belief, Ocwen is attempting to collect a pre-petition escrow shortage through the post-petition ongoing mortgage payment. On September 28, 2011, Counsel for the Debtor contacted Ocwen's Counsel's office explaining the issue in order to request Ocwen amend their claim. On October 10, 2011, Counsel for the Debtor contacted Ocwen's Counsel's office to inform Ocwen and Counsel of this Objection to Claim since an amended claim had not been entered.

WHEREFORE, the Debtor prays that the Court enter an Order reducing the monthly mortgage payment to \$1,086.93.

Dated: October 17, 2011

LAW OFFICES OF JOHN T. ORCUTT, P.C.

s/ John T. Orcutt

John T. Orcutt
6616-203 Six Forks Road
Raleigh, N.C. 27615
(919) 847-9750

CERTIFICATE OF SERVICE

I, Charlene Ennemoser, certify under penalty of perjury that I am, and at all times hereinafter mentioned was, more than eighteen (18) years of age and that on October 17, 2011. I served copies of the foregoing **NOTICE OF OBJECTION** and **OBJECTION TO CLAIM** by certified first-class U.S. mail, return receipt requested, addressed to the following parties:

OCWEN LOAN SERVICING, LLC

Attn: Managing Agent

1661 Worthington Road

Suite 100

West Palm Beach, FL 33409-

and by automatic electronic noticing upon the following Trustee:

John F. Logan

Chapter 13 Trustee

s/ Charlene Ennemoser

Charlene Ennemoser